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WEATHER—FAIR.

WASHINGTON, D. C., THURSDAY, NOVEMBER 4, 1915.

ONE CENT.

In Washington and Points Suburban Therein, ELSEWHERE TWO CENTS

D. C. TAXES NOT CONSTITUTIONAL SEIBOLD SAYS

Levy for U. S. Purposes Without Authorization, Congress Probers Hear.

MUST HAVE AMENDMENT

"Half-and-Half" or Single Tax Only Scheme, Witnesses Agree.

MILK INSPECTION IS ATTACKED

A. S. Trumble Criticizes Methods of the District Health Office—Martin Dodge Addresses Committee.

By JOSEPH P. ANNIN.

The unique contention that Congress has violated its constitutional authority consistently in levying taxes for municipal purposes upon the District, was presented to the Joint Select Committee yesterday afternoon by B. O. Seibold, who introduced himself—with a marked German accent—as "a grocer whom a local newspaper had once declared was a people's lawyer," but who declared he was an American citizen without a hyphen.

By the time Mr. Seibold was half through his address, which took him to adjourning time, members of the committee declared that as a grocer he was one of the best lawyers they had listened to.

Arthur P. Davis, director of the Reclamation Service, the third speaker for the Tax Reform Association, occupied a part of the morning session with an exposition of the single tax theory. Mr. Davis did not advocate the abolition of the half-and-half principle directly, and in reply to a question from Col. Worthington, of counsel for the citizens' committee, declared that the abolition of the "half-and-half" principle would be very burdensome unless accompanied by the application of the single tax. At the same time he declared that the immediate application of the single tax principle would jar conditions up considerably.

Argument of Seibold. As Herbert J. Browne, in reply to a similar question, declared that the abolition of the "half-and-half" plan, unless accompanied by the single tax, would be "disastrous" to the National Capital, it is felt that, on the showing of leading opponents of the half-and-half plan, the congressional committee is faced with alternative of deciding in favor of a continuation of the "half-and-half" plan or of the immediate application of the single-tax method of taxation—an economic theory as yet untried in any State or municipality in the Union.

Mr. Seibold's argument, perfectly arranged and technically correct, was that the United States government, under the Constitution, has no taxing power beyond that delegated to the District of Columbia, which provides that Congress shall have power:

"To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States."

No Partnership, He Says.

Mr. Seibold read the contract between the original proprietors of the land in the District and the Federal government, to whom one-half was turned over gratis, and quoted this contract and its reference to paragraph 1, section 8 of the Constitution to show that the Federal government in taking over the land comprising the District of Columbia made a solemn compact with the proprietors as citizens of Maryland not to exact taxes for municipal purposes of residents of the District.

Mr. Seibold started out at once by declaring that neither by virtue of the act of 1878 or by any other act did there exist a partnership between the District and the Federal government. The act of 1878, insofar as it provided for such a partnership, he declared, was illegal. Nothing short of a constitutional amendment, he declared, could have made that enactment legal.

There does exist, under the Constitution, he declared, a very definite relationship, and that in the relationship between an adopted child and its foster parents. Under this relationship Congress is inhibited from exercising any powers not delegated to it expressly by the Constitution, which means that Congress cannot levy any taxes upon citizens of the District which do not apply equally to citizens of the entire United States.

The paragraph of the Constitution providing for a Federal city required that the territory involved be ceded by some State or States and, therefore, be ceded willingly. Thus, he argued, any com-

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WILSON WILL SEE GAME.

Mrs. Galt Will Accompany President to Army-Navy Contest. President Wilson, with a party of eighteen, including Mrs. Galt, will attend the Army-Navy football game at New York on November 21.

The party is expected to occupy a box on the Navy side during one-half of the game and one on the Army side during the other half.

This arrangement is intended to preserve the President's neutrality.

U. S. WILL NOT CROSS BORDER

Funston's Request for Permission to Invade Mexico Denied.

VILLA IS OVERWHELMINGLY DEFEATED; ARMY NOW MOB

Chief's Men Falling Back on Naco as Guerrillas, Hungry and Broken.

El Paso, Tex., Nov. 3.—Carranza troops of the brigade under Gen. Luis Herrera have occupied the city of Chihuahua, according to persistent reports in circulation here tonight. Villa military officials in Juarez admit that they are unable to communicate with Chihuahua by wire and that the railway has been cut at a point near Chihuahua, a short distance north of Chihuahua. Chihuahua City was the last state capital remaining in the hands of Villa.

War Department officials said last night that Gen. Funston, in command of the American troops on the Texas border, will not be given authority to cross into Mexico to suppress firing which endangers Americans on this side of the line.

A request was received from Gen. Funston yesterday, asking for such permission. The question was considered by Secretary of War Garrison and, it is said, by President Wilson.

It has been pointed out to the War Department that emergency authority ought to be invested in the American commander on the border, because sudden attacks may be made on the American side, and occasions might arise demanding the immediate pursuit of Mexican soldiers into their own territory.

It was explained that in the event of a night attack on American troops it would be impossible to act as the occasion demanded if it was necessary to telegraph Washington and wait for an answer.

The State Department is unofficially informed that Great Britain and France will soon follow the lead of Austria and recognize the de facto Mexican government.

The Japanese ambassador, Baron Ichida, was in the State Department yesterday and made arrangements whereby American Consuls will look after Japanese interests at points where Japan has no consul or consular offices.

Douglas, Ark., Nov. 3.—Francisco Villa's defeated army is in flight from the border. Villa and his staff reached Naco tonight. Overwhelmingly defeated in his attack on Agua Prieta, the North American army is falling back, leaving hundreds dead on the field. His army is smashed and broken. Those who reach Naco will divide into guerrilla bands and roam, loot and plunder where they may, according to it is reported, to Villa's own words. What was an army of 12,000 men is now only a disorganized mob.

Back across the burning deserts of Sonora, without food and without water, the defeated force is making its way. Hundreds, worn out with hardship and privation, are being left to die in the alkali and sage brush along the line of retreat.

The buzzards are the victors over the constitutional army of the north. The story of the terrible march into Sonora for the attack on Agua Prieta was told tonight by Alberto Aguayo, paymaster of Villa's army. With six companions, he described on the last day of the battle and thrust himself on the mercy of Gen. P. Elias Carriz, commander of the Carranza garrison at Agua Prieta.

Aguayo, gaunt from lack of food, told of the starvation, thirst and terror that is rampant in Villa's ranks.

He estimated Villa's losses at 1,000 killed, wounded and missing. When the army left Casas Grandes the artillery numbered 45 pieces. Only 22 reached Sonora. The others either broke down or tumbled into canyons, carrying men and horses with them.

The wagons used to transport the ammunition and such provisions as Villa had collected also broke down and were abandoned on the road over the continental divide. During the last eight days the men had nothing to eat but fresh beef without salt.

On Monday afternoon Villa rode down his lines and, pointing to Agua Prieta, said:

"There is food and rest."

He urged the men to press their attack with all vigor, promising an easy victory.

After three assaults, however, he was forced to withdraw. The last attack, early Tuesday morning, was made by 6,000 men, the flower of Villa's army.

The general retreat began Tuesday night. Forces were left around Agua Prieta until today to protect the withdrawal of the remaining artillery trains, which, according to the prisoners, will be completed tonight.

BLAST FIRES SHIP IN N. Y.

Foreign Agents Suspected of Bombing British Vessel.

DETECTIVES TAKE TO DYNAMITERS' TRAIL

Following \$50,000 Cotton Fire, Secret Service Men Look for Perpetrators of Outrage.

New York, Nov. 3.—Ten minutes after all the crew had left the British ship *Euterpe* tonight a terrific explosion occurred.

It tore open the hatch and caused a fire in the first hold. The explosion shook the whole South Brooklyn water front in the vicinity of Erie Basin, where the *Euterpe* was moored.

The ship is under charter to the British government, and was to have sailed on Saturday with a cargo of sugar.

Secret Service men began an immediate investigation. One Secret Service man, who had been working in alleged German bomb plots, was sent to Brooklyn to take charge of the investigation.

Efforts are being made to couple the explosion with a \$50,000 cotton fire in the Red Hook warehouse of the New York Dock Company, early this morning.

The time of the explosion led to the theory that it had been caused by a bomb in one of the sugar sacks. The first hold contained 25,000 pounds of the 800,000-pound cargo.

For two hours firemen, assisted by two fireboats, fought the fire on the *Euterpe*. The condition of the hold late tonight was such that the investigation could not enter it.

Much mystery as to the destination of the ship and cargo was created by Capt. Alfred Smith, the commander.

"We are just taking on the cargo. I don't know where we are to sail to. We were to receive our orders by cable Saturday morning and sail an hour later," he said.

Capt. Smith shares the belief that his ship was the victim of a bomb placed in the hold by agents of a foreign power. It was he who advanced the theory that someone secreted a bomb in one of the thousands of bags of sugar.

EIGHTEEN ARRESTED IN N. Y. BOMB PLOT

Starting Developments in Investigation of Scheme to Tie Up Allies' Shipping.

New York, Nov. 3.—These were today's startling developments in the bomb plot investigation:

1. The discovery that eighteen secret arrests have been made by the Hudson Boulevard police, with the assistance of the United States Secret Service and the New York police department.

2. The prisoners are believed to be parts of the mechanism waged against the entente powers by a central German authority with headquarters in New York or New Jersey.

3. Some of the prisoners have confessed that the campaign was planned with the object of crippling commodities of all description designed to be of service to the allies on the battle fronts.

KAISER SAW GERARD TO EXHIBIT GOOD FEELING

Visit of Envoy Planned by Emperor to Show Relations with U. S. Are Not Strained.

The true significance of the recent meeting between the Kaiser and Ambassador Gerard has leaked out from State Department officials.

The Kaiser invited Mr. Gerard to luncheon to give official recognition to the fact that there was an end to all strained relations between the United States and Germany. It was said that much talk about strained relations took place during the absence of the Kaiser on military duty.

During that time there had been gradual, but effective, diplomatic progress by the two countries, largely due to the free and frank conferences between Secretary of State Lansing and Count von Bernstorff.

The re-establishment of good feeling was an accomplished fact when the Kaiser returned, and he therefore sent a special invitation to the Ambassador to meet him. The Kaiser talked for an hour with Mr. Gerard. This was an unusual concession for so busy a monarch as the Kaiser.

PRESIDENT LEAVES TODAY.

Mr. Wilson Goes to New York for Defense Speech.

President Wilson will leave this morning for New York where he will make his first detailed address on national defense at the fifth anniversary dinner of the Manhattan Club. Mrs. Galt will accompany him on the return trip. Secretary Tumulty and Dr. Cary T. Grayson will be the other members of the President's party.

Minister Brand Whitlock Who Told of Nurse's Death Given "Leave of Absence"

American Envoy to Belgium Suffering "Ill Health"—Was Bitterly Criticized in Germany for Revealing Facts of Miss Edith Cavell's Execution.

The State Department made the following announcement yesterday: "Brand Whitlock, the United States Minister to Belgium, is returning to the United States on a two months' leave of absence on account of ill health." The brief statement was made orally by William Phillips, Third Assistant Secretary of State.

Coming, as it does, on the heels of the bitter criticism in Germany of Mr. Whitlock's reports on the execution of Miss Edith Cavell, the English nurse, by the German military authorities in Belgium, the announcement created a sensation in Washington.

Facts Are Significant. It was interpreted at once to indicate that Germany had asked for the recall of Mr. Whitlock, and that this government had complied with the request. So far as can be ascertained, however, this opinion is supported only by circumstantial evidence.

The following facts were regarded as of the utmost significance. First—The publication by Great Britain of the detailed report of Mr. Whitlock to Ambassador Page, containing the memorandum of his secretary of legation, Hugh S. Gibson, on the Cavell case, stirred Germany deeply.

Second—The animosity in Germany against Mr. Whitlock was manifested by the editorial comment in the German daily newspapers, many of which suggested that Mr. Whitlock was not entitled to a post in Belgium, and that he should be sent to Havre, where the seat of the Belgian government is now located. Some of the newspapers went so far as to demand that Germany ask for his recall.

Third—While this criticism was at its height Ambassador Gerard, at Berlin, was summoned to a conference with the German Kaiser. The interview was lengthy, and the State Department has steadfastly refused to give out any information concerning it.

Fourth—About the same time Mr. Whitlock was asked for an explanation. His statement arrived here on Saturday. It made the explanation that he did not know Great Britain intended to make the report public. However, he did not show that he had asked Great Britain to regard the report as confidential. Mr. Whitlock denied that his legation was in any way misinformed by the German government, and that if there was any misunderstanding it was between ambassador and the United States.

The whole trend of Mr. Whitlock's statement, so far as Germany was concerned, was apologetic. On its receipt there was an inspired statement that the matter had blown over, and the incident was closed.

Lansing Issues Statement. The effect of the announcement of Mr. Whitlock's home-coming in diplomatic circles was heightened by the knowledge that the recall of diplomatic officials is frequently accomplished by the simple process of summoning them home on leaves of absence and then neglecting to send them back.

Secretary of State Lansing insisted last night, however, that no significance is to be attached to the leave of absence to Mr. Whitlock. He authorized the following statement: "There is nothing political in the fact that Mr. Whitlock is coming home on leave of absence. There is no connection between this fact and the case of Miss Edith Cavell. The department has known for two months that Mr. Whitlock was in ill health and that his physicians in Germany advised that he take a rest. He was therefore given the leave of absence, and solely for the purpose stated in the announcement from the department this evening."

Similar assurances came from officials close to the White House. It was denied also that Germany had made any request for the recall of Mr. Whitlock.

Wife Proposed, Says Naval Officer, And He Was Intoxicated at Wedding

That he was more or less intoxicated when he married the first time was the assertion of Lieut. Commander William P. Cronan, U. S. N., on the witness stand yesterday before Justice Stafford in District Supreme Court in fighting the suit of his first wife, Mrs. Marie Cronan, for the recovery of \$1,000 under the terms of an alleged ante-nuptial contract.

Lieut. Commander Cronan testified that his first wife proposed to him and that he foolishly consented to the marriage, but he asserted that he never loved her deeply or showed her any real affection. Attorney Joseph W. Cox, representing the first wife, endeavored to show that the husband had really loved the wife and had shown her real affection.

Cronan was asked if he did not remember having attended a supper party at Cassidy's in New York City during the summer after his first marriage. He replied in the affirmative.

"Did you not show your wife marked affection at that party?" he was asked. The witness replied that he did not know, as he was very intoxicated and fainted in the course of the evening. He said he became intoxicated at the Lamb's Club, where "some very strong drinks were served."

"After a two weeks' hunting trip in the woods of Maine," questioned Attorney Cox, "did you not steal silently into your wife's apartment at night and tip-toeing to her bed rub your two weeks' growth of beard upon her cheek?"

Cronan said he did not remember the incident. He also said he did not remember having carried thirty-two pairs of socks to her apartment upon his return from a trip around the world. He admitted that he had told her just before their marriage that he was broken-hearted because he had been flitted by a prominent society girl.

He was questioned carefully concerning his trip around the world from 1907 to 1909. He admitted that he posed on numerous occasions as a single man and that he showed attentions to a young society woman who met his ship as it touched at various ports. He declared he had given this woman a ring, but denied that he was engaged to her.

Cronan was married the first time in 1907. His wife obtained a divorce in 1910. A contract was drawn up whereby the wife promised to bring suit for divorce on condition that he contribute to her support for the remainder of her life and pay a mortgage of \$1,000. It is alleged.

She brought the suit and the divorce was granted. The wife now contends that her former husband has failed to keep his part of the alleged contract.

ARGUE TILL LIGHTS GO OUT.

Janitor Ends Lengthy Suffrage League Discussion.

Members of the District Suffrage League, last night at the Public Library, discussed the report of the special committee on reorganization until the janitor turned off the electric lights and the meeting was forced to adjourn until November 17, when the matter will again be taken up.

The resignation of Thomas E. Will as executive secretary was accepted. At the meeting on November 17, the annual election of officers will be held.

LATE FIGURES FAVOR WOMEN

N. Y. Returns Show Suffrage Defeat Less Than First Figured.

M'CALL PLURALITY, 6,606; OHIO WENT WET BY 45,000

In Pennsylvania "Votes for Women" Cause Lost by Only Approximately 59,000.

New York, Nov. 3.—Complete returns of Tuesday's election show the following results:

New York State beat woman suffrage by approximately 154,000. New York City beat woman suffrage by 59,372. New York State beat the new constitution by about 462,000. New York City beat the new constitution by 300,735. New York State returned an assembly consisting of 95 Republicans, 83 Democrats, 1 Progressive, 1 Socialist; Republican majority, 42.

Pennsylvania beat woman suffrage by approximately 59,000, only half the districts being heard from tonight.

Massachusetts beat woman suffrage by 135,602. Ohio beat State-wide prohibition by 45,000.

Late returns, though incomplete, gives suffrage a better showing in New York than the first figures indicated. Complete returns from the whole State gave a vote of 511,168 in favor of the amendment and 698,975 against. These returns came from all parts of the State, and there were only 353 of 5,712 election districts that had not been heard from.

On the fact of the returns available, suffrage was beaten by about 184,242. With returns from 1,063 of the 5,712 districts in the State missing, the total vote on the new constitution was 314,929 for and 734,289 against, an actual majority of 69,000, indicating that the total majority against the proposition when the whole State is heard from will be 462,733.

McCall Plurality 6,606. Republicans gained in both houses of the New Jersey legislature, and as a result will control the legislature on joint ballot by a majority of twenty-five.

In Massachusetts the late returns showed that McCall had won the gubernatorial fight, as was indicated on Tuesday night. The final returns gave his plurality over Walsh as 4,696.

In Pennsylvania, late returns from the country districts indicated that the women had not been so badly beaten there as had been thought. It appeared likely the majority against suffrage would be in the neighborhood of 60,000.

The incomplete figures showed 231,135 votes against suffrage and 161,833 for it, but the suffragists in Harrisburg acknowledged that while they would win the State outside of Philadelphia, the majority of 41,269 against the measure in the metropolis would defeat it.

PRESIDENT'S GUARDS SHY AT STRANGE BOX

While Mr. Wilson Sees Show, Secret Service Men Investigate Bomb "Suspect."

A perfectly innocent packing case, unable to identify itself or name its owner, sent cold chills down the backs of a number of bluecoats and Secret Service men last night when it was discovered reposing peacefully almost in front of a local theater shortly after President Wilson and Dr. Cary Grayson, his naval aide, entered the foyer.

Ever on the alert for suspicious-looking boxes, this obstruction, apparently a home-made affair, attracted the attention of the President's bodyguard. Inquiries of theater attendants and bluecoats failed to account for its presence.

After some speculation as to its contents, it was determined to remove it to a place of safety and investigate. The box accordingly was carried to a far corner of the Birge Building and carefully pried open. It contained loose paper wrapping and excelsior in abundance, but nothing more explosive.

Little Girl Hit by Auto. Freda Thum Lies in Providence Hospital Suffering from Injuries.

Freda Thum, 7, of 227 North Carolina avenue southeast, is in Providence Hospital with a broken leg and probably internal injuries as the result of being struck by an automobile at First street and Virginia avenue southeast yesterday. Her condition is critical, it is believed.

The automobile was driven by J. C. Newman, 3212 Vallor place northwest. The girl was playing in the street and darted in front of Newman's automobile. Newman placed her in the machine and rushed her to Providence Hospital. Physicians fear that she is injured internally.

G. O. P. MEET CALLED. National Committee Will Assemble Here December 4.

The Republican National Committee will meet at the New Willard at 11 o'clock Tuesday morning, December 14, to fix the time and place of holding the next Republican National convention.

The call for the meeting was issued yesterday by Charles D. Hilles, chairman, and James B. Reynolds, secretary.

SERB ARMY IN TRAP; CZAR OPENS ATTACK; FRENCH LOSE DITCH

Teutons, Closing in on Nish, Threaten to Surround and Crush Forces of Small Nation Between Two Advancing Columns

GERMANS WITHDRAW IN EAST

Fresh Successes on Strypa Reported by Petrograd—French Lines Pierced on Hill 199—Kaiser Victorious on 100-yard Front on Souchez Brook.

Special Cable to The Washington Herald.

London, Nov. 3.—Austro-German troops, advancing steadily in Northwestern Serbia, have occupied the City of Uzice. It is an important railway terminal, eighty-seven miles southwest of Belgrade and twenty-eight miles from Visegrad, where Austrian forces are attempting an invasion of Serbia.

From the north, west and east the Austro-Germans and Bulgarians are closing in on Nish. Fear is expressed here that the Serbian armies, caught between the enveloping columns, may be completely surrounded.

The Bulgarians moving from Pirot are reported to be bringing up huge Austrian skoda guns of the type which reduced Przemyśl for the bombardment of Nish.

Members of the quadruple entente are continuing their efforts to aid the sorely pressed Serbians.

New fleets of transports are arriving off Saloniki bearing strong reinforcements for the troops already fighting the Bulgarians.

French troops are landing at Kavala, a Greek port on the Aegean Sea, prior to an advance against the Bulgarians, according to dispatches from Sofia.

British cavalry has joined the Serbo-French forces in Southern Serbia.

Russia, by a vigorous offensive in Eastern Galicia and Volhynia, is endeavoring to influence Roumania to join hands with the entente, allow passage to Russian troops, and throw her own army into the conflict.

BULGARS, SERBS, FRENCH IN BATTLE. Heavy fighting is reported in Southern Serbia, where the Bulgarians are at grips with the Serbo-French forces.

North of Perlepe a battle is raging for the possession of Babusa pass, a rocky defile north of Monastir.

An official communiqué issued today in Paris reports the repulse of a Bulgarian attack near Krivolak. It claims advances for the French troops in the mountainous country near the Greek frontier.

Northern Serbia still is the scene of the most important fighting, however. With the capture of Uzice today the Austro-Germans are in possession of another important strategic point, midway between Cacak, captured yesterday, and the Bosnian border.

The Serbians are battling furiously against the onrushing Teutons and Bulgarians, but the fall of Nish and the opening of the railway to Constantinople is believed to be only a matter of days.

ROUMANIAN INTERVENTIONISTS BUSY. A Bucharest dispatch says that in reply to international demands that Roumania make an immediate decision, the King stated he considers the formation of a national ministry inopportune at this time. Despite this, it is asserted the interventionists will continue their attempts to overthrow the neutralist cabinet.

Dashing from their trenches behind the cover of a thick cloud of asphyxiating gas, the Germans today succeeded in piercing the French lines on Hill 199, an important height in the Massiges sector of Champagne.

The attack, which was made on a wide front, succeeded at only one point, according to the Paris communiqué tonight, heavy losses being inflicted on the dense masses of attacking troops on other sections.

Against this German success, which is admitted by Paris, the French have regained 100 yards of trench along Souchez brook, north of the village of that name in the Artois sector. A French encircling movement threatened the defenders of the French section with envelopment and, according to a Berlin statement received here today, they retired from the threatened area under cover of darkness.

The Russians have opened a sweeping general offensive on a front of more than 50 miles, stretching from the Baltic to Eastern Galicia. Before Dvinsk they have forced the Germans to withdraw from territory which they gained at great cost. On the Strypa, fresh successes have been won by the Czar's troops, according to Petrograd. Between these two points, Russian and Teuton armies are at grips in a series of furious struggles.

VON HINDENBURG FORCED BACK. The most important success won by the Russians in weeks has been gained in the Courland, according to official dispatches received here. South and southwest of Dvinsk, Von Hindenburg has been forced to withdraw his lines between lakes Sventon and Ilzen, it is admitted in Berlin. It was in this region that the German field marshal was delivering his most furious blows against the Dvina lines.

Regarding the fighting in the eastern theater, the Russian official statement tonight says:

"In the region of Siolek the Germans unsuccessfully attacked our positions near Ragatz and Kemmern."

"Toward Dvinsk we succeeded in occupying two heights which had been strongly organized. We also took the village of Platonostka south of Lake Sventon. We captured numerous prisoners and machine guns."

SENTENCE MAN FROM U. S. British Say He Gave Information to Enemy Warships.

Special Cable to The Washington Herald. Plymouth, Nov. 3.—A man known as Abdon Jappe and described as a former telephone inspector in Boston, New York, Toledo, and Detroit, has been sentenced to three years' imprisonment here on the charge of communicating information to enemy warships.

Jappe arrived here last May. Special Charlottesville and Return. Nov. 6, 1915. Southern Ry. Exp. Train.

Dead When Cut Down by Government Hospital Attendant. Fred C. Rice, 45, a patient at the Government Hospital for the Insane, hanged himself in his room at the hospital yesterday. He had strangled his belt around his neck and tied it to a beam over the doorway. He was dead when cut down by George Willis, an attendant. It is supposed he had been hanging for fifteen minutes.

Rice, a former soldier, had been in the asylum for about a year. He was considered a quiet patient, and was rarely watched by attendants.